	Application No.	Applicant(s)
Notice of Allowability	10/645,998	CIRINCIONE ET AL.
	Examiner	Art Unit
	Sean E Vincent	1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to <u>application filed August 22, 2003</u>.

2. ☒ The allowed claim(s) is/are <u>1-7</u>.

3. ☒ The drawings filed on <u>22 August 2003</u> are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some*   c)☐ None   of the:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

    (a)☐ The translation of the foreign language provisional application has been received.

6. ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a)☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

      1)☐ hereto or 2)☐ to Paper No. _____.

    (b)☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.

    (c)☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1☒ Notice of References Cited (PTO-892)

2☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____

4☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5☐ Notice of Informal Patent Application (PTO-152)

6☐ Interview Summary (PTO-413), Paper No._____ .

7☒ Examiner's Amendment/Comment

8☒ Examiner's Statement of Reasons for Allowance

9☐ Other .

Sean E Vincent
Primary Examiner
Art Unit: 1731

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

The application has been amended as follows:

In the specification, page 1, line 2, after "2000" , the following has been inserted:
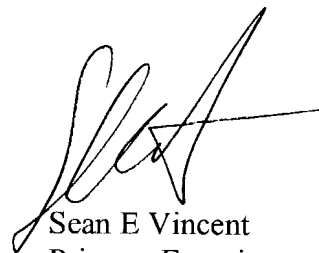
-- now US Patent no. 6,652,935 -- .

2.   The following is an examiner's statement of reasons for allowance: The prior art does not

teach or fairly suggest laminated glass containers comprising an inner layer and an outer layer of

glass wherein the layers are glasses having redox numbers that differ by at least 20. Likewise,

the prior art does not teach laminated glass containers having an amber glass layer and a flint

glass layer (amber glass and flint glass being adequately defined in the applicant's specification).

While prior art examples of laminated glass containers exist, none of those examples include the

use of glasses differing in redox number by at least 20. As defined by the applicant's

specification, amber glass and flint glass were known to have different redox numbers. It would

not have been obvious to make the casing and core glasses of the prior art examples different

redox numbers because a person of ordinary skill in the art would have expected the glasses to

react and weaken the glass container at the interface between the different glasses.

3.   Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4.   The prior art made of record and not relied upon is cited to further show the state of the art.

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean E Vincent whose telephone number is 571-272-1194. The examiner can normally be reached on M - F (8:30 - 6:00).

6.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven P Griffin can be reached on 571-272-1189. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

7.   Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0651.

Sean E Vincent
Primary Examiner
Art Unit 1731

S Vincent